

**Development Management**

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**Planning**

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**Zoning Enforcement**

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August 30, 2013

Mr. Vernon Geddy, III  
Geddy, Harris, Franck & Hickman  
1177 Jamestown Road  
Williamsburg, VA 23185

**RE: Z-0003-2013/MP-0001-2013 Kingsmill Rezoning and Master Plan Amendment**

Dear Mr. Geddy:

Thank you for meeting with staff on August 12, 2013 to discuss the proposed master plan amendment and rezoning application for Kingsmill. Per our meeting, staff highlighted three general areas of concerns which included discussion about buffers, the Limited Industry Comprehensive Plan designation and compliance with policies. Upon further review of your application, staff offers the following comments for your consideration:

**Planning Division:***Proposed Master Plan Amendment*

1. It is not clearly understood what is meant by "area added to D = 44 AC "under "Scenic Easement = 177 AC".
2. Please indicate the total acreage of Carter's Grove Country Road and the acreage being removed as part of the proposed master plan amendment.
3. According to the master plan legend 217 acres are proposed as recreation (Woods golf course). Under "Label 3" a note states that **Recreation J** includes scenic easement (44

- acres). Please clarify what the total acreage is for the proposed recreation area. Also, label and identify the area identified as recreation between the proposed areas 5 and 3?
4. Under each of the legend boxes, label areas A, B, C, and D, add the following information respectively:
    - a. A = Single-Family;
    - b. B = Multi-family dwellings containing up to and including four dwelling units;
    - c. C = Multi-family dwellings containing more than four dwelling units;
    - d. D = Apartments
  5. Please provide the non-developable acreage for the entire planned residential community.
  6. It would be very helpful if all existing recreational facilities (e.g. swimming pools, sport courts, playground areas, etc.) could be identified and quantified in order for staff to have a better understanding of the existing recreational facilities available at Kingsmill.
  7. Note that the number of proposed units under Areas 4 & 5 and 6 & 7 as shown on the master plan is different from the number of units presented by the conceptual plan layouts included in the CIS binder.
  8. It would be helpful to understand how each of the amendment areas will be connected (vehicular and pedestrian/bike connections) with one another and with the rest of Kingsmill. Will the existing Country Road be used as vehicular connection through the proposed amended areas? Please provide a general circulation plan and include the approximate location of pedestrian access ways (e.g. trails) and vehicular access.
  9. Under the Revised Open Space Calculation please provide a calculation for “common open space” as well.
  10. In accordance with Section 24-279 of the ordinance, please provide the proposed dwelling unit densities within each residential area (A, B, C, and D). Specifically, indicate the proposed density for the amendment areas.

### *Zoning Ordinance*

1. According to Section 24-275 of the ordinance “an important feature of the residential community is its emphasis on site planning and the retention of large, open areas.” Please provide a narrative indicating how this proposed development meets this definition of residential planned community.

### *Comprehensive Plan*

1. According to the Residential Development Standards for Low Density Residential Areas new developments shall be permitted only where such developments are compatible with the character of adjoining uses and where the impacts of such new developments can be adequately addressed. Particular attention should be given to addressing such impacts as incompatible development intensity and design, building height and scale, land uses, smoke, noise, dust, odor, vibration, light, and traffic. Please provide a narrative discussing how this proposal development addresses these issues.
2. According to the Residential Development Standards for Low Density Residential Areas, the following standards shall be observed for residential developments:
  - a. Complements the residential character of the area;
  - b. Have traffic, noise, lighting and other impacts similar to surrounding uses;
  - c. Generally be located on collector or arterial roads at intersections; and
  - d. Provide adequate screening and buffering to protect the character of nearby residential areas.

Please provide a narrative discussing how this proposal development addresses these issues.

3. Refer to the open space, open space design description found under the Low Density Residential Land Use description (page 141 of the Comprehensive Plan). Please also refer to the descriptions of “Sense of Place and Streetscape” and “Affordable Housing”.
4. Note that recommended uses under the Limited Industry designation allows for warehousing, office, service industries, light manufacturing plants, and public facilities. Residential dwelling units are not recommended uses.

### *Community Impact Study*

1. Fiscal Impact Analysis. Please revise the Fiscal Impact Analysis to ensure that it reflects any changes concerning the number of proposed units and the expected number of affordable/workforce housing units in accordance with the Board of Supervisors’ Housing Opportunity Policy.
2. The following comments are offered by the Financial and Management Services(FMS) staff:
  - a. Intro, Page 3 – shows 75 units in areas 4 & 5 – but Tab 3 map/chart shows 67.
  - b. Intro, Page 3 – shows 20 units in areas 6 & 7 – but Tab 4 map/chart shows 25.
  - c. Tab 7, page 7 – Parcel ID 5130100001 valued at \$9,326,200 has 230.315 acres – not the 428.6 acres shown. The assessed value of the 12.4 acres is therefore \$502,116 and not

the \$269,824 shown. This discrepancy in acreage may also impact on the total acreage shown on Intro page 3 for area 3 – which may also overstate the acreage actually being rezoned.

- d. Page 3 table shows 349 acres in area 3 – it may be correct but chart of Area 3 in Tab 2 suggests a lower acreage. Parcel ID 5130100001 has also not been adjusted for the subdivision that was used to create the condo space at the river – the corrected per acre value is OK, and I assume the 12.4 acres are OK, but the total parcel size will actually drop. The parcels and acreage shown on page 7 in Tab 7 are much less than the 500 acres shown in the table on page 3 of the introduction – should be redone..
- e. Tab 7, Page 10 - the chart on the bottom of the page is wrong for Year 5. It shows the total residential revenue impact for 202 units is the same as the impact for 30 units (in years 1 through 4). Should be re-done.

#### *Natural and Cultural Resources*

- 1. Is it possible to provide copies (an introduction and conclusion would suffice) of existing archaeological/endangered species for the amendment areas for Kingsmill.

#### *Traffic Impact Study*

- 1. Please refer to VDOT comments recently posted on Casetrak.

#### *Housing Opportunity Policy*

- 1. Please provide information regarding how the proposed master plan amendments will comply with the Housing Opportunity Policy.

#### *Mitigating Impacts*

- 1. Please consider revising your application to a master plan amendment and rezoning from R-4 to R-4, with proffers, to provide a means of mitigating impacts created by the proposed changes to the master plan.
- 2. Staff suggests that in evaluating potential offsets to impacts proffers please consider the following:
  - a. No residential lots within RPA areas;
  - b. Cash Proffer Policy for Schools adopted by the Board of Supervisors in 2007;
  - c. Recreational elements such as pedestrians trails and bikeways;

- d. Vegetative buffers screening the proposed residential development from existing development on Kingsmill and particularly from more intense uses such as the Brewery, Busch Corporate Center, and Busch Gardens;
- e. Additional common open space areas to offset the area being removed out of recreational and Country Road areas;
- f. Preservation to of the Country Road (or parts of it) as a recreational element and source of connectivity

#### *Input from Citizens*

1. A number of Kingsmill residents have contacted staff via e-mail and phone to express their concerns about the proposed development. The following are the main concerns that have been expressed to staff:
  - a. Loss of a natural buffer between Kingsmill and the Busch Corporate Center, Brewery, and Busch Gardens. Residents have indicated the importance of the country road as a buffer from the noise generated from the Busch Gardens, the Brewery and Busch Corporate Center;
  - b. Loss of common open space and natural environment; and
  - c. Loss of recreational areas (Residents use the Country Road for recreational activities such as walking, jogging and biking);
  - d. Depreciation of home values; and
  - e. Kingsmill residents feel disenfranchised and without a voice to represent their concerns and have suggested scheduling future information sessions to make residents aware of the proposed amendment and how the application plans to address their concerns.

Please note that all other agency comments have been posted on Casetrak. Staff will be more than happy to further discuss this proposal. Please do not hesitate to contact me at (757) 253-6685, should you have any questions or concerns, or if you wish to further discuss your proposal.

Respectfully,

A handwritten signature in black ink, consisting of two large, stylized loops. The first loop contains the letters 'JOSE' and the second loop contains the letters 'RIBEIRO'.

Jose-Ricardo Linhares Ribeiro  
Senior Planner II